

FILED

June 16, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**BY: J. Galindo-Beaver
DEPUTY**AMENDED STANDING ORDER REGARDING
NOTICE OF READINESS FOR PATENT CASES**

In all patent cases pending before the undersigned, the Parties are directed to jointly file the Case Readiness Status Report (“CRSR”) in the format attached as Exhibit A: (a) within seven (7) days after the defendant (or at least one defendant among a group of related defendants sued together) has responded to the initial pleadings in cases where there are no CRSR Related Cases as defined below¹, or (b) when there are CRSR Related Cases, within seven (7) days after the last defendant (or last defendant group when at least one defendant among the group has responded) among the CRSR Related Cases has responded to the initial pleadings. The CRSR shall be filed in each case and, with regard to CRSR Related Cases, it shall identify all other CRSR Related Cases.

The Parties are directed to meet and confer before jointly filling the CRSR. Plaintiff shall be responsible for ensuring the prompt filing of the CRSR. Plaintiff shall also email the Court (TXWDml_LawClerks_JudgeAlbright@txwd.uscourts.gov) a courtesy copy of the CRSR and shall also copy the Defendant(s). If the parties have any pre-*Markman* issues in need of resolution, the parties are directed to email the Court a joint submission of the parties’ positions after filing the CRSR so the Court can consider whether to hold a telephonic hearing to resolve these issues.

Once the CRSR has been filed, the Case Management Conference (“CMC”) shall be deemed to occur fourteen (14) days after the filing date of the CRSR. With regard to CRSR

¹ For purposes of this Order, cases shall be considered CRSR Related Cases when: (1) they are filed within thirty (30) days after the first case is filed, and (2) they share at least one common asserted patent.

Related Cases, if the CRSRs are not all submitted on the same date, the CMC shall be deemed to occur fourteen (14) days after the last CRSR in those CRSR Related Cases is filed. The Court intends to coordinate the CRSR Related Cases on the same schedule with a single *Markman* hearing, so the parties should plan accordingly. In all cases, the *Markman* hearing shall be initially scheduled for twenty-three (23) weeks after the CMC and should be included in the parties' proposed Scheduling Order in accordance with the Court's Order Governing Proceedings.

This Order shall apply to all cases where the CRSR has not already been filed as of the date of this Order. In any case where the parties have submitted their CRSR before the date of this Order but have not received an order setting their CMC, the CMC for that case (or cases) will be deemed to occur fourteen (14) days after the date of this Order. To the extent that the CRSR in a case (or related cases) is overdue pursuant to this Order, the parties are directed to file the CRSR within seven (7) days after the date of this Order. If after entry of this Order there are any cases awaiting a CMC where the CMC will not be set by operation of this Order, the parties should contact the Court for guidance.

If any party believes that the operation of this Order will cause undue prejudice, that party may contact the Court to seek appropriate relief.

SIGNED this 16th day of June, 2021.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

[Plaintiff],

Plaintiff

v.

[Defendant],

Defendant

Case No. 6:21-cv-00000-ADA

JURY TRIAL DEMANDED

CASE READINESS STATUS REPORT

Plaintiff [names] and Defendant [name(s)], hereby provide the following status report.

FILING AND EXTENSIONS

Plaintiff's Complaint was filed on [filing date]. There have been [one/two] extension[s] for a total of ___ days.

RESPONSE TO THE COMPLAINT

[Indicate if/when the defendant(s) responded to the Complaint, whether it was an Answer or Motion, and whether any counterclaims were filed other than counterclaims for non-infringement or invalidity]

PENDING MOTIONS

[Identify all pending motions]

RELATED CASES IN THIS JUDICIAL DISTRICT

[Identify all related cases in this Judicial District, including any other cases where a common patent is asserted]

IPR, CBM, AND OTHER PGR FILINGS

[There are no known IPR, CBM, or other PGR filings.] [Or]

ALT: IPR2021-00000 was filed on ____ and docketed on _____. An institution decision is expected on or before _____. A Final Written decision is expected on or before _____.]

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff has asserted [Num Patents] patent[s] and a total of [Num Claims] claims. The asserted patent(s) are U.S. Patent Nos. _____.

[If a Plaintiff has already served Preliminary Infringement Contentions (“PICs”), note the date of service. Note: Per the Court’s Order Governing Proceeding, Plaintiff must serve PICs no later than 7 days before the CMC]

APPOINTMENT OF TECHNICAL ADVISER

[Indicate whether the parties request a technical adviser to be appointed to the case to assist the Court with claim construction or other technical issues]

MEET AND CONFER STATUS

Plaintiff and Defendant met and conferred. [The parties have no pre-Markman issues to raise at the CMC.] or [The parties identified the following pre-Markman issues to raise at the CMC [list].

Dated: _____

Respectfully Submitted

/s/ _____